

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION

JEROME WEATHINGTON

PLAINTIFF

V.

CIVIL ACTION NO. 4:17-CV-00020-DAS

DONOVAN CLARK, et al.

DEFENDANTS

ORDER DISMISSING DEFENDANT JONATHAN BREWER
WITHOUT PREJUDICE

On April 2, 2018, this Court ordered that process issue for Defendant Jonathan Brewer. Doc. #27. On May 9, 2018, the summons was returned unexecuted, stating that certified mail had been returned “unable to forward-discharged from probation.” Doc. #32. On May 31, 2018, the Clerk of Court sent correspondence notifying Plaintiff that Defendant Brewer had not been served with process. Doc. #34. Since that time, Plaintiff has taken no action to prosecute his case as to Defendant Brewer. On September 19, 2019, this Court entered an order directing Plaintiff to show cause within thirty (30) days why his complaint against Defendant Brewer should not be dismissed pursuant to Federal Rule of Civil Procedure 4(m). Doc. # 43. Plaintiff has failed to respond and the deadline for compliance has passed. Accordingly, the Court finds that Plaintiff’s complaint against Defendant Jonathan Brewer is hereby **DISMISSED without prejudice**.

SO ORDERED this, the 22nd day of October, 2019.

/s/ David A. Sanders
DAVID A. SANDERS
UNITED STATES MAGISTRATE JUDGE